

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RAMON VASQUEZ,	:	
Plaintiff,	:	
	:	
v.	:	Civil No. 5:20-cv-05116-JMG
	:	
BERKS COUNTY, <i>et al.</i> ,	:	
Defendants.	:	

ORDER

AND NOW, this 21st day of August, 2024, upon consideration of Defendants' Motion for Summary Judgment (ECF No. 72), Defendants' Statement of Undisputed Material Facts (ECF No. 73), Plaintiff's Response (ECF No. 85), Defendants' Reply (ECF No. 89), and Plaintiff's Sur-Reply (ECF No. 96); **IT IS HEREBY ORDERED** that Defendants' Motion (ECF No. 72) is **GRANTED** and all counts are **DISMISSED**.

IT IS FURTHER ORDERED that upon consideration of Plaintiff's Motion for Court-Appointed Expert Witness (ECF No. 71); Plaintiff's Motion (ECF No. 71) is **DENIED**.¹

¹ Under Rule 706, Plaintiff is seeking to have a court appointed physician in order to explain complex medical issues regarding his health, and he would like a court appointed psychologist to explain the mental affects of solitary confinement. ECF No. 71 at 1-2. However, Rule 706 "allows only for appointment of an expert to aid the Court, and not for the purpose of aiding an indigent litigant." *Kerwin v. Varner*, No. CIV. 1:CV-03-2253, 2006 WL 3742738 at *2 (M.D. Pa. Dec. 15, 2006). It is not clear how these experts would aid the Court. Accordingly, this motion is denied.

IT IS FURTHER ORDERED that upon consideration of Plaintiff's Motion to Strike Defendants' Reply (ECF No. 94), and Defendants' Response (ECF No. 95); Plaintiff's Motion (ECF No. 94) is **DENIED**.²

IT IS FURTHER ORDERED the Clerk of Court is **DIRECTED** to mark this case **CLOSED**.

BY THE COURT:

/s/ John M. Gallagher

JOHN M. GALLAGHER

United States District Court Judge

² Plaintiff is seeking to strike Defendants' Reply (ECF No. 94); however, Defendants were granted permission to file their reply (ECF No. 88), and the Reply addresses issues raised in Plaintiff's Response. *See* ECF No. 89. Accordingly, Plaintiff's Motion to Strike is denied.